

BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:

TONYA FIELDING

V

No. 14-0502

COMMONWEALTH EDISON COMPANY

Complaint as to billing/

charges in Chicago, Illinois.

Chicago, Illinois

November 6, 2014

Met pursuant to notice at 11:00 a.m.

BEFORE :

MR. JOHN RILEY, Administrative Law Judge.

APPEARANCES:

MS. TONYA FIELDING
37 West 114th Street
Chicago, Illinois 60628
appeared pro se;

1 APPEARANCES: (Cont'd.)

2

MR. MARK L. GOLDSTEIN
3 3019 Province Circle
Mundelein, Illinois 60062
4 appeared for Respondent;

5

MS. REBECCA GRAHAM
6 115 South LaSalle Street
Suite 2600
7 Chicago, Illinois 60603
appeared for Respondent.

8

9

ALSO PRESENT:

10

MS. ERIN BUECHLER

11

12

13

14

15

16

17

18

19

SULLIVAN REPORTING COMPANY, by
20 Teresann B. Giorgi, CSR
084-000977

21

22

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

I N D E X

<u>Witnesses:</u>	<u>Dir.</u>	<u>Crx.</u>	<u>Re-</u> <u>dir.</u>	<u>Re-</u> <u>crx.</u>	<u>By</u> <u>Examiner</u>
NONE					

E X H I B I T S

<u>APPLICANT'S</u>	<u>FOR IDENTIFICATION</u>	<u>IN EVIDENCE</u>
NONE		

1 JUDGE RILEY: Pursuant to the direction of
2 the Illinois Commerce Commission, I call
3 Docket 14-0502.

4 This is a complaint by Tonya Fielding
5 versus Commonwealth Edison Company as to billing and
6 charges in Chicago, Illinois.

7 And, Ms. Fielding, you're here -- this
8 is a status this morning. You're here again without
9 an attorney, is that correct?

10 MS. FIELDING: Yes, sir.

11 JUDGE RILEY: And, Mr. Goldstein, would you
12 enter an appearance for ComEd?

13 MR. GOLDSTEIN: Yes.

14 Mark L. Goldstein, 3019 Province
15 Circle, Mundelein, Illinois 60060. My telephone
16 number is 847-949-1340.

17 MS. GRAHAM: Rebecca Graham, 115 South LaSalle
18 Street, Suite 2600, Chicago, Illinois 60603. My
19 phone number is 312-505-8154.

20 And with us this morning is Erin
21 Buechler from ComEd.

22 JUDGE RILEY: All right. Thank you.

1 And, Ms. Fielding, it's my
2 understanding that -- from our last session, several
3 weeks ago -- that you were going to get an actual
4 meter read.

5 MS. FIELDING: Yes.

6 JUDGE RILEY: And did ComEd come out and
7 actually read the meter?

8 MS. FIELDING: Yes. They came out and they
9 changed it, too.

10 JUDGE RILEY: And they changed the meter.

11 They exchanged the meter out?

12 MS. FIELDING: Yes.

13 JUDGE RILEY: Okay. And you're still looking
14 for a refund of \$1900?

15 MS. FIELDING: Yes, sir.

16 JUDGE RILEY: Mr. Goldstein, where is ComEd on
17 this?

18 MR. GOLDSTEIN: The meter was exchanged, Judge,
19 and the meter tested within the Commission's limits.
20 But the reason it was exchanged out was that it did
21 not test within ComEd's limits. ComEd has a higher
22 standard than the Illinois Commerce Commission. As

1 a matter of fact, it was recording slightly slower
2 than 100 percent.

3 In any event, what I would like to do
4 this morning, if I could, is try to resolve this
5 matter with Ms. Fielding.

6 And maybe we can take five, ten
7 minutes and do that.

8 JUDGE RILEY: Is that okay?

9 MS. FIELDING: Okay.

10 JUDGE RILEY: Okay. I'll step out of the room.

11 Off the record.

12 (Whereupon, a discussion
13 was had off the record.)

14 JUDGE RILEY: Back on the record.

15 And what can the parties advise me
16 right now.

17 MR. GOLDSTEIN: We made a settlement proposal to
18 Ms. Fielding. Ms. Fielding rejected the proposal.

19 I gathered from our discussion that
20 she would like to try to hire an attorney to
21 represent her. Obviously, I have no objection to
22 that.

1 JUDGE RILEY: Ms. Fielding, is that the --

2 MS. FIELDING: Yes, sir. They're going to offer
3 me \$400. I told this gentleman, this is -- I didn't
4 finish adding it up -- this is just my school money
5 I lost due to this (indicating).

6 But I went on vacation. I didn't have
7 no money in my pockets. I had already paid for the
8 trip. I couldn't cancel it. I had to pay \$200 each
9 way coming and going extra because we had to scrape
10 the money up to buy the plane tickets there and
11 back.

12 JUDGE RILEY: Ms. Fielding, I'm not being
13 unfeeling about this, and I know financial hardships
14 are a pretty regular --

15 MS. FIELDING: Not for me.

16 JUDGE RILEY: -- what I'm saying is --

17 MS. FIELDING: But let me finish.

18 I just told this gentleman, my
19 children didn't get anything for Christmas --

20 JUDGE RILEY: Ms. Fielding --

21 MS. FIELDING: -- because I received this bill.

22 JUDGE RILEY: -- I remember you said that the

1 first time you were here.

2 MS. FIELDING: Right.

3 Then Easter went by. New Year's went
4 by. The 4th of July went by. Memorial Day went by.

5 JUDGE RILEY: I'm not being --

6 MS. FIELDING: Then another Christmas went by.

7 JUDGE RILEY: I'm not being callus, but these
8 matters are irrelevant to --

9 MS. FIELDING: They're not irrelevant.

10 JUDGE RILEY: Yes, they are.

11 MS. FIELDING: No, they're not. Because they
12 caused this hardship on me.

13 My bill was current. I only owed
14 \$11.60 before they did this. I didn't have a
15 hardship. I did not have a hard- -- sir, my bills
16 were paid. They may have been a little late, but my
17 bills were paid.

18 I did not have a problem. I had
19 credit cards. I have no credit cards now. I had
20 other things. I have a gas bill. Now, I've got --
21 if you don't pay your utility bills on time, they
22 put marks on your credit. I was in the process of

1 redoing my credit. That's how I got the credit card
2 bills.

3 I actually lost the house that I live
4 in because --

5 JUDGE RILEY: All right.

6 MS. FIELDING: -- because I wasn't able to pay
7 the mortgage and the taxes and somebody then bought
8 my house.

9 Now, we want to get real with this. I
10 had lost my house. Now, if anybody in here is not
11 hearing me, I got to find a house with no money.

12 And this has been an ongoing problem
13 for two years.

14 JUDGE RILEY: I'm not --

15 MS. FIELDING: ComEd did not come up with
16 nothing they said they were going to do until the
17 last hearing. They had eight opportunities to try
18 to settle this with me and they didn't. They lied
19 to me. They lied on me.

20 And then you guys are going to make me
21 sit here again after my family endured all of this.
22 Whether you're trying to be callus or not, I'm

1 suffering.

2 JUDGE RILEY: There is nothing the Commission
3 can do about that.

4 MS. FIELDING: Well, then, that's why I called
5 the Commission for help. I called the Commission
6 for help. It's been two years.

7 JUDGE RILEY: Now, what do you want to do from
8 here? You're not going to accept the settlement
9 offer.

10 MS. FIELDING: \$400? Really?

11 JUDGE RILEY: Then what is your --

12 MS. FIELDING: I spent \$400 getting this
13 together.

14 JUDGE RILEY: What is your next move?

15 MS. FIELDING: I need to get a lawyer.

16 JUDGE RILEY: How long do you think that's going
17 to take you?

18 MS. FIELDING: Well, let's see, since Christmas
19 is coming up again. This will be my third
20 Christmas --

21 JUDGE RILEY: Are you talking after the
22 1st of the year?

1 MS. FIELDING: Yeah. Please.

2 JUDGE RILEY: Mr. Goldstein, what's ComEd's
3 response?

4 MR. GOLDSTEIN: I have no objection.

5 MS. GRAHAM: No objection.

6 JUDGE RILEY: All right, then, why don't we put
7 this off until sometime to the middle of January?

8 MS. FIELDING: That's fine.

9 JUDGE RILEY: Would that be sufficient?

10 MS. FIELDING: Yes, sir.

11 MR. GOLDSTEIN: How about January 15th?

12 JUDGE RILEY: January 15th?

13 MR. GOLDSTEIN: Is that all right with you,
14 Ms. Fielding?

15 MS. FIELDING: I don't have my phone. I left it
16 in the car.

17 JUDGE RILEY: That's a Thursday.

18 MS. FIELDING: I know, but I just got a new job
19 and I have some workshops.

20 Let's do February because I don't have
21 any workshops in February. I'm sorry.

22 JUDGE RILEY: February?

1 MS. FIELDING: Yes.

2 MS. GRAHAM: Can we do the first week in
3 February?

4 JUDGE RILEY: I'm sorry.

5 MS. GRAHAM: The first week in February?

6 JUDGE RILEY: My calendar is clear.

7 MS. FIELDING: That's fine for me.

8 MR. GOLDSTEIN: Do you want to do a Thursday
9 again?

10 MS. FIELDING: Thursday.

11 JUDGE RILEY: Thursday, February 5.

12 And that will be for evidentiary
13 hearing.

14 11:00 a.m.

15 And, Ms. Fielding, I do advise you
16 that it will be your burden to proceed first when we
17 do go to hearing and your attorney should be able to
18 tell you, you know, exactly what the procedure is,
19 to bring in whatever evidence you have to prove the
20 issue that you don't owe the money that they say you
21 owe or that it's been paid or that it's somehow
22 erroneous. That would be your burden.

1 MS. FIELDING: Okay.

2 JUDGE RILEY: All right, then, we are continued
3 to February 5 -- do you have something further,
4 Mr. Goldstein?

5 MR. GOLDSTEIN: I have nothing else.

6 JUDGE RILEY: Okay. Okay. We are continued to
7 February 5, 2015 at 11:00 a.m. for hearing.

8 (Whereupon, the above-entitled
9 matter was continued to
10 February 5, 2015.)

11

12

13

14

15

16

17

18

19

20

21

22